

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number:**

0700-0563

**Case Title:**

Cass County PWSD 9

**Subject of Report:**

Report of Interview with (b) (6), (b) (7)(C) on 01-04-2018

**Reporting Office:**

Kansas City Area Office

**Activity Date:**

January 4, 2018

**Reporting Official and Date:**

(b) (6), (b) (7)(C)

Resident Agent in Charge

19-JAN-2018, Signed by: (b) (6), (b) (7)(C)

**Approving Official and Date:**

(b) (6), (b) (7)(C)

Assistant Special Agent in Charge

23-JAN-2018, Approved by: (b) (6), (b) (7)(C)

Assistant Special Agent in Charge

**SYNOPSIS**

On January 4, 2018, U.S. EPA CID SA (b) (6), (b) (7)(C) and Investigator (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C), Cass County PWSD Board Member. (b) (6), (b) (7)(C) provided information concerning his tenure of the Board, allegations surrounding (b) (6), (b) (7)(C) and other issues.

**DETAILS**

On January 4, 2018, U.S. EPA CID Special Agent ("SA") (b) (6), (b) (7)(C) and Missouri Department of Natural Resources Investigator ("Investigator") (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) ("HIGHLEY"). This interview was conducted at (b) (6), (b) (7)(C) residence, (b) (6), (b) (7)(C), Harrisonville, MO. After SA (b) (6), (b) (7)(C) and Investigator (b) (6), (b) (7)(C) identified themselves and explained the nature of the interview, (b) (6), (b) (7)(C) provided the following information.

This interview was digitally recorded by SA J (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was made aware that the interview would be recorded and he offered no objections. The tape recorder was placed on (b) (6), (b) (7)(C) kitchen table between him and the interviewing investigators. The following is a summary of the information provided during this interview and is not a completed detail of each and every fact provided. (See attached Chain of Custody re: digital recording)

**BACKGROUND**

(b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) of the District Board where he has served for about (b) (6), (b) (7)(C) full-time job is (b) (6), (b) (7)(C) for the U.S. Department of Agriculture for Cass County, MO.

**SAMPLING ALLEGATIONS**

According to (b) (6), (b) (7)(C), around May 2017, employees of the District expressed concern that (b) (6), (b) (7)(C) ("HIGHLEY") the supervisor, was not taking samples correctly. All of the employees of the District expressed this concern including: (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C).

When confronted by the Board about the sampling allegations, (b) (6), (b) (7)(C) did not deny or admit anything about the drinking water sampling. Instead he just stated "it will be fixed." The fix was having (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) collect the samples and having the sampling locations changed. Currently (b) (6), (b) (7)(C) is the sole sampler. There was never any definitive proof that (b) (6), (b) (7)(C) was not properly collecting the District samples and the Board has never believed that it had a problem with the water, just with the collection of sampling.

According to (b) (6), (b) (7)(C), employees stated that (b) (6), (b) (7)(C) would take sample bottles home one evening and then return the next day around 9:00am, purportedly with all of the required samples. The employees did not think (b) (6), (b) (7)(C) had enough time to take the samples properly.

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Criminal Investigation Division  
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The District currently has three employees, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) worked there for a few years but his position was recently eliminated the Board. (b) (6), (b) (7)(C) position was eliminated as it was determined by the Board that (b) (6), (b) (7)(C) wasn't doing his job because he had too much help.

Investigators explained to (b) (6), (b) (7)(C) that his personal residence was listed as one of the sampling points. (b) (6), (b) (7)(C) was not aware of this. (b) (6), (b) (7)(C) stated that his house was built in October of 2013. (b) (6), (b) (7)(C) said he couldn't say (b) (6), (b) (7)(C) did or didn't collect samples from his house but leaned toward him not collecting samples at his house. He later stated that to his knowledge, (b) (6), (b) (7)(C) hadn't been to his house since before it was finished in 2013.

#### OTHER ISSUES

According to (b) (6), (b) (7)(C), other issues with (b) (6), (b) (7)(C) were brought to the Board including, a tablet, gasoline expenses, and time. Concerning the tablet, it was discovered that the District was paying for data service on a tablet as part of a telephone plan for about two years. This tablet was maintained at (b) (6), (b) (7)(C) residence and not at the District. The Board had never approved the tablet/plan, but this was not uncommon as the Board did not approve "every nickel and dime" expensed. However, the tablet issue "smelled bad" because (b) (6), (b) (7)(C) was using District customers' money for something sitting at his house. The tablet was one of the reasons he got suspended. It has now been cancelled. (b) (6), (b) (7)(C) did not pay back the monies for this tablet.

There also was a perceived issue with gasoline receipts. (b) (6), (b) (7)(C) had reviewed these receipts and did not see anything aside from an incident or two.

In addition, there was an issue with time that (b) (6), (b) (7)(C) spent on the job. (b) (6), (b) (7)(C) stated that it did not seem possible for (b) (6), (b) (7)(C) to work at the District full-time and farm the amount of acreage he farmed.

(b) (6), (b) (7)(C) was later suspended by the Board. This included leave without pay for the first two full pay periods of January 2018. His suspension without pay was to cover the losses to the District. (b) (6), (b) (7)(C) did not have any input into his suspension. (b) (6), (b) (7)(C) wanted it to be in February when he usually goes to Mexico. This was denied.

Minutes of the Board Meeting are maintained. They are kept in the District Office.

#### BOARD NOTIFICATION

(b) (6), (b) (7)(C) was asked why the Board had not reported the sampling issue to the Missouri Department of Natural Resources or the EPA. (b) (6), (b) (7)(C) advised that the Board didn't tell EPA (or MDNR) because they did not feel there was an issue with the water in the District and the Board couldn't prove that the allegations were true. (samples not being collected properly).

(b) (6), (b) (7)(C) was shown that on May 10, 2017 at 9:55am (b) (6), (b) (7)(C) had reported taking a sample at (b) (6), (b) (7)(C) residence. (b) (6), (b) (7)(C) said to his knowledge (b) (6), (b) (7)(C) had not been to his house since it was built (2013).

#### MISCELLANEOUS

(b) (6), (b) (7)(C) had no cameras on his property. He has spigots on the front and back porch.

(b) (6), (b) (7)(C) is not related to (b) (6), (b) (7)(C) however, like most farmers in the County, (b) (6), (b) (7)(C) knew him from

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his position at the U.S. Department of Agriculture.

██████ was hired by his uncle and had worked for the District long before ██████ (b) (6), (b) or any other current Board members were involved with the District.

(b) (6), (b) was asked about ██████ leveling complaints about the Board. (b) (6), (b) stated that Board members and ex-Board members got “Holiday Packages” every year and ██████ stated that he would pay back what he owed, when the Board members paid back the District for the Holiday Packages. The packages typically included a combination of a ham, pork-chops and steaks.

**ATTACHMENT**

Chain of Custody re: digital recording of interview with ██████ (b) (6), (b)

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